

Message Text

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PAGE 01 DUBLIN 00653 111640Z

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ACTION EUR-12

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E.O. 11652: N/A

TAGS: PGOV PINS EI UK (NI)

SUBJ: VIOLENT DEBATE ON "EXTRATERRITORIALITY"

1. WE HAVE REPORTED SIGNS THAT GOI MIGHT BE CONSIDERING DROPPING ITS BILL TO ALLOW "EXTRATERRITORIAL" PROSECUTION OF IRA FUGITIVES. THIS BILL WAS ONE OF THE ELEMENTS OF THE SUNNINGDALE PACKAGE, AND CERTAINLY THE LEAST POPULAR PART OF THE PACKAGE IN THE REPUBLIC. THE BILL WOULD ALLOW IRA FUGITIVES TO BE PROSECUTED IN THE REPUBLIC FOR CRIMES OF VIOLENCE IN NI. IN EFFECT, THIS IS A SUBSTITUTE FOR EXTRADITION, WHICH GOI IS STILL NOT ABLE TO FACE.

2. AFTER A PERIOD OF INACTIVITY, HOWEVER, GOI HAS DECIDED TO REVIVE THE BILL. ON APRIL 9 AND 10 THE DECISION RESULTED IN SOME OF THE MOST VIOLENT DEBATES EVER HELD IN DAIL AND SENATE. FIANNA FAIL LEGISLATORS OPPOSED THE BILL WITH LANGUAGE OF A KIND THAT HAS RARELY BEEN HEARD SINCE EARLY DAYS OF IRISH INDEPENDENCE. ONE FIANNA FAIL SENATOR, FOR EXAMPLE, SAID THAT ANY SUPPORTER OF THE MEASURE WAS A "BRITISH COLLABORATOR." OPPOSITION LEADER LYNCH IS OUT OF THE COUNTRY AND UNABLE TO EXERCISE HIS USUAL MODERATE INFLUENCE ON HIS PARTY. FACT THAT FIANNA FAIL HAS GONE TO ALMOST HYSTERICAL EXTREMES SUGGESTS INCREASED TROUBLE FOR LYNCH'S MODERATE LEADERSHIP AS WELL AS FOR THE FUTURE OF THE REPUBLIC'S SHAKY BIPARTISAN POLICY ON NI.

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EM GOI MAY BE IN AS MUCH TROUBLE AS THE FIANNA FAIL MODERATES.
IN SENATE VOTE ON BILL'S FIRST READING, IT WAS OPPOSED BY TWO
LABOR SENATORS. ONE WAS NOEL BROWNE, WHO HAS LONG BEEN DISMISSED
AS ALMOST A NUT CASE, BUT THE OTHER WAS INFLUENTIAL TRANSPORT
UNION LEADER MICHAEL MULLEN. HE WAS A PERSONAL SENATE APPOINTEE
OF PM COSGGRIVE, AND HIS VOTE MAY SWAY LABOR DEPUTIES IN THE DAIL.
GOI MAJORITY COULD THUS BE THREATENED ON AN IMPORTANT ISSUE.

4. EVEN IF BILL PASSES DAIL, WHICH IS BY NO MEANS CERTAIN, THERE
APPEARS TO BE SERIOUS CHANCE OF A CONSTITUTIONAL THREAT IN
COURTS. CONCLUSION IS THAT REPUBLIC IS STILL A LONG WAY FROM ANY
EFFECTIVE MEANS TO DEAL WITH IRA FUGITIVES.
MOORE

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